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Letter dated 27 January 2017 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to inform the Security Council that a number of former members of the Mouvement du 23 mars (M23) have escaped from the Bihanga and Rwamwanja camps in Uganda, where they had been confined, and have entered North Kivu Province, in the Democratic Republic of the Congo, with the aim of resuming hostilities.

To substantiate these claims, my Government wishes to bring to your attention the following facts, listed in alphabetical order, and documented by the competent authorities in the Democratic Republic of the Congo:

- On 11 November 2016, Sultani Makenga disappeared from his residence in Kampala. That same day, he was spotted with his armed fighters in Sarambwe, in Rutshuru territory, in North Kivu Province. Following a clash with the Armed Forces of the Democratic Republic of the Congo (FARDC), he and his comrades fled, leaving behind some personal effects (see annex);
- On 2 January 2017, a dozen people sent by Erasto Mihigo, a former M23 officer and a relative of ousted General Laurent Nkunda, were arrested in Goma;
- On 10 January 2017, Innocent Zimurinda, a former M23 major, was arrested at the Mubambiro checkpoint while he was on a reconnaissance mission and was transporting weapons to Bunagana;
- On 14 and 15 January 2017, Yussuf Mboneza and some 100 former M23 fighters escaped from Bihanga camp and headed towards the border between Uganda and the Democratic Republic of the Congo.
- During the night of 15 January 2017, reports were received from people in Uganda that armed men were entering the Democratic Republic of the Congo from Rwanda. The men had crossed over from the Mgahinga Park, located on the border between Rwanda, Uganda and the Democratic Republic of the Congo, and were heading to Chanzu and Runyonyi, on their way to Rutshuru. Similar reports were received from civilians in the Democratic Republic of the Congo. The reports were confirmed when the Armed Forces of the Democratic Republic of the Congo (FARDC) arrested a number of fighters, who admitted during questioning that they had been given instructions on how to cross the

border undetected in order to join armed groups in Busumba and Kashuga in North Kivu Province, with a view to triggering hostilities from within the territory of the Democratic Republic of the Congo, far from the borders with Rwanda and Uganda.

- On 15 January 2017, at 1 a.m., a Toyota Corolla car, licence plate number UAS978B, was pulled over in Bunagana, just across the border from the town of Kisoro. The car, which had just crossed into the Democratic Republic of the Congo, was carrying weapons and five suspects. Three of the suspects (Denis Mugisha, Emmanuel Wimana and Innocent Habashimana) were arrested and taken to Kisoro for questioning, while the other two managed to flee.

- On 17 January 2017, an aerial reconnaissance mission identified an armed group on the move 6 km east of Chanzu and 9 km south of Bunagana, the former stronghold of M23.

- On 18 January 2017, four vehicles carrying hundreds of former M23 soldiers from the Bihanga and Rwamwanja camps, which were all heading for Kisoro, just across the border from Bunagana, were stopped in Mbarara and Kabale at 9 p.m. by Ugandan police.

- On 19 January 2017, in a press release issued by the Office of the President, Uganda confirmed that a number of former M23 fighters had escaped from the camp in Bihanga, indicating that just 270 remained out of a total of 1,678; the latter figure is disputed as Uganda and the Democratic Republic of the Congo were unable to agree on a total when the fighters were first identified and registered in 2013. The press release also stated that some of the captured fighters had admitted that they were heading for the Democratic Republic of the Congo.

Your Council will agree with my Government that, in attempting to revive the war in North Kivu Province, the former members of M23 want not only to further destabilize the Democratic Republic of the Congo and cause further suffering to a population already devastated by the successive bloody conflicts that have taken place in that part of the country, but also to undermine all the efforts made by the United Nations, the African Union, the International Conference on the Great Lakes Region, the Southern African Development Community, the Democratic Republic of the Congo and the strategic partners of the framework agreement for the restoration of peace and stability in the region.

Of course, such a situation might divert the attention of the Government, which would be obliged to devote financial resources to the war. That would certainly jeopardize the successful conclusion of the political agreement on the organization of the elections and disrupt the electoral process itself. My Government therefore draws the attention of the Security Council to that situation and requests it to:

(a) Strongly condemn the conduct of the former members of M23 who have violated their commitments under the Nairobi Declaration to cease using violence to press their demands, and to transform themselves into a political party.

(b) Instruct Sultani Makenga and the former members of M23 to put an end to their new venture.

(c) Invite the former members of M23 to seize the opportunity provided by the amnesty offered by the Government to return to the country voluntarily as part of the disarmament, demobilization, repatriation, reintegration and resettlement process currently under way.

(d) Call on Rwanda and Uganda to facilitate the repatriation to the Democratic Republic of the Congo of former M23 members on their territories.

(e) Encourage all States that signed the Addis Ababa Framework Agreement, particularly Rwanda and Uganda, to fulfil the commitments set out in that Agreement and not to protect or support any armed group that seeks to destabilize a neighbouring State.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Ignace **Gata Mavita**
Ambassador
Permanent Representative

Annex to the letter dated 27 January 2017 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Personal effects left behind by the Makenga Group following an exchange of gunfire on Friday, 11 November 2016, in Sarambwe, Rutshuru territory, Democratic Republic of the Congo